

REMARKS/ARGUMENTS

Claims 1-6 are present in this application. By this Amendment, the specification and claim 5 have been amended. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

With reference to the Office Action, with regard to the Abstract of the Disclosure, the term “regent” is not found. The typographical error has been corrected, however, on page 6 of the specification. Claim 5 has been similarly amended to correct the typographical error. Withdrawal of the objections is requested.

Claim 5 was rejected under 35 U.S.C. §112, second paragraph. Without conceding this rejection, claim 5 has been amended to reference at least one pair of “belt conveyors.” Applicant submits that claim 5 now more clearly satisfies the requirements of 35 U.S.C. §112, second paragraph. Withdrawal of the rejection is requested.

Claims 5 and 6 were rejected under 35 U.S.C. §103(a) over U.S. Published Patent Application No. 2001/0010918 to O’Connor in view of U.S. Patent No. 5,814,276 to Riggs. This rejection is respectfully traversed.

The Office Action recognizes that O’Connor lacks at least the use of a specimen conveyor including at least one pair of belt conveyors, wherein the plurality of pre-treatment devices are arranged along the conveyance path of the conveyor. The Office Action further recognizes that O’Connor lacks a carry-in unit that carries in a parent specimen container containing a sampled parent specimen and that mounts the container on the specimen conveyor, a carry-out unit that carries the sample for inspection prepared in the inspection sample preparation device out to an inspection chamber, or an additional barcode label issuing unit for attaching a barcode label onto the outer peripheral surface of the parent specimen container. The

Office Action contends, however, that such units are “considered conventional in the automated analyzer art,” referring to the Riggs patent.

Without conceding this characterization of the O'Connor publication, the Riggs patent or the “automated analyzer art,” Applicant submits that O'Connor lacks the parent specimen refrigerator (16M) for freezing the parent specimen container in which the remaining parent specimen is contained and the child specimen refrigerator (16N) for freezing the container in which the child specimen is contained. As described in the specification, the parent specimen refrigerator 16M freezes/stores the parent specimen container 2, which contains the remaining parent specimen M (capable of storing the specimen at -20°C for several weeks and unfreezing the specimen only once) (step ST6). The parent specimen M frozen/stored in the parent specimen refrigerator 16M is taken out at an appropriate time if needed and conveyed to the dispenser unit 14 positioned on an upstream side. Then, a necessary dispensing operation is performed again. See, for example, page 13, line 12 – page 14, line 3.

A child specimen refrigerator 16N freezes/stores the child specimen container 4 which has been pretreated as shown in Fig. 1 (capable of storing the specimen at -20°C for several weeks) (step ST15). Since the pretreatment of the child specimen container 4 is performed while it is conveyed to downstream from upstream, the pretreated child specimen container 4 is conveyed to upstream from downstream to be stored in the child specimen refrigerator 16N.

O'Connor merely teaches refrigerated storage at 4°C, which does not freeze the parent specimen container in which the remaining parent specimen is contained or the container in which the child specimen is contained. Further, O'Connor fails to teach the location of the parent specimen refrigerator and the child specimen refrigerator as defined in claim 5.

In view of at least these distinctions, Applicant respectfully submits that the rejection of claim 5 is misplaced.

With regard to claim 6, Applicant submits that this dependent claim is allowable at least by virtue of its dependency on an allowable independent claim.

Reconsideration and withdrawal of the rejection are respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims are patentable over the art of record and that the application is in condition for allowance. Should the Examiner believe that anything further is desirable in order to place the application in condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Prompt passage to issuance is earnestly solicited.

Respectfully submitted,

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